

As of 5/13/13 \* 5/14/13 \*\* 5/15/13\*\*\*

*THE COUNCIL OF THE CITY OF HOBOKEN*

SPECIAL MEETING OF MAY 15, 2013

(CLOSED SESSION) (from 6:00 PM to 7:00PM)

~~1A. RESOLUTION GRANTING VANESSA MENDELEWSKI, ESQ. OF WEINER LESNIAK SETTLEMENT AUTHORITY IN THE MATTER OF QUINONES' WORKER'S COMPENSATION LITIGATION (WC000118521) IN AN AMOUNT UP TO THE AMOUNT SUGGESTED BY LORI HALLET TO MELLISSA LONGO IN HER EMAIL DATED MAY 6, 2013—PULLED BY ADMIN. \*\*~~

2A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION IN THE MATTER OF MCCOURT V. CITY OF HOBOKEN

~~3A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION KNOWN AS METROSTOP CONDOMINIUM ASSOCIATION V. CITY OF HOBOKEN ET AL. AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTER, ANDREW BREWER, ESQ.—PULLED BY ADMIN. \*\*~~

*THE COUNCIL OF THE CITY OF HOBOKEN*

REGULAR MEETING OF MAY 15, 2013

STARTING AT 7:00PM

Please note: The Hoboken City Council may consider additional Resolutions, Ordinances or any other matter brought before the Hoboken City Council until May 15, 2013 and throughout the meeting

PROCLAMATION FOR 125<sup>TH</sup> ANNIVERSARY TO THE HOBOKEN ELKS LODGE  
#74

THE FOURTH GRADERS FROM ALL SAINTS EPISCOPAL DAY SCHOOL  
PRESENTATION

~~PRESENTATION BY SJP PROPERTIES PULLED BY ADMIN. \*\*\*~~

## RESOLUTIONS

- 1.\* ~~Resolution granting Vanessa Mendelewski, Esq. of Weiner Lesniak settlement authority in the matter of Quinones' worker's compensation litigation (WC000118521) in an amount up to the amount suggested by Lori Hallet to Mellissa Longo in her email dated May 6, 2013 (submitted by the Administration)-PULLED BY ADMIN. \*\*~~
- 2.\* ~~Resolution granting Andrew Brewer, Esq. of Maraziti Falcon & Healey settlement authority in the matter of Metrostop Condominium Association v. City of Hoboken et al. under the terms suggested by Andrew Brewer to Mellissa Longo in his email dated April 24, 2013 (submitted by the Administration)-PULLED BY ADMIN. \*\*~~
- 3.\* Resolution to approve the settlement agreement between McCourt and the City of Hoboken et al., and taking all action in accordance therewith including, without limitation, executing the agreement and entering the formal agreement on the record **(submitted by the Administration)**
- 4.\* ~~Resolution approving SJP's mitigation plan and request for construction noise waiver in accordance with Hoboken Code Section 133-9(C) (requested by SJP)-PULLED BY ADMIN. \*\*\*~~
- 5.\* Resolution for Budget Amendments **(submitted by the Administration)**  
**(DOCUMENTS TO FOLLOW) \***
- 6.\* Resolution authorizing Emergency Temporary Appropriation for CY 2013 Budget **(submitted by the Finance Department) \*\***

## SECOND READING/PUBLIC HEARING AND FINAL VOTE

1. BOND ORDINANCE AUTHORIZING THE REHABILITATION AND RECONSTRUCTION OF PIER "A" IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$2,500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE AMOUNT OF UP TO \$2,375,000; MAKING CERTAIN DETERMINATIONS AND CONVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTIONS WITH THE FOREGOING

**(sponsored by Councilwoman Giattino & Councilman Bhalla)**

**(Z-235)**

**(carried to the next city council meeting)**

2.\* AN ORDINANCE TO AMEND CHAPTER 46 ENTITLED  
“LEASE AGREEMENTS” TO INCLUDE A LEASE  
AGREEMENT BETWEEN THE CITY OF HOBOKEN  
AND NJ TECH, INC. FOR THE USE AND MAINTENANCE  
OF THE SINATRA PARK CAFÉ  
(sponsored by Councilwoman Giattino & Councilman Bhalla)  
(Z-239)  
(Going back to first reading due to substantive changes made by the  
NJDEP)

3.\* AN ORDINANCE TO AMEND CHAPTER 190 § 29.3  
ENTITLED “PARKING IN A METERED PARKING SPACE” TO  
CLARIFY THE PROPER PLACEMENT OF METERED PARKING  
RECEIPTS  
(sponsored by Councilman Mello & Councilman Bhalla)  
(Z-240)

**PUBLIC COMMENTS**

**PETITIONS AND COMMUNICATIONS**

Miscellaneous Licenses

Memo from Mayor Dawn Zimmer appointing Frank Magaletta from Alternate to fill unexpired term of Keith Furman and also appointing Stella Strazdas to fill the unexpired term of Sandra Reinardy

**REPORTS FROM CITY OFFICERS**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of April 2013 **\$12,366,031.75 (Abatement Totals – \$277,634.35) \*\***

A report from Municipal Court indicating receipts for the month of April 2013 as **\$395,798.07**

**CLAIMS**

Total for this agenda **\$3,456,189.16**

**PAYROLL**

**For the Fire Retiree %25 retro pay April 30, 2013**

**Regular Payroll**  
\$0.00

**O/T Pay**  
\$6,377.17

**Other Pay**  
\$383,094.67

**Total**  
\$389,471.84

**For the two week period starting April 11, 2013 –April 24, 2013**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$1,517,705.07	\$124,503.22	\$67,073.08

**Total**  
\$1,709,281.37

### **CONSENT AGENDA**

Consent Agenda defined: All items listed with an asterisk (\*) are considered to be routine business by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a council member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

### **RESOLUTIONS (CONTINUED)**

- 7.\* Resolution of the City of Hoboken consenting to an application to the Planning Board by Shipyard Associates L.P. to include additional amenities and the Shipyard Marina and authorizing an amendment to the Developer's Agreement with Shipyard Associates if the application is approved **(submitted by the Administration)**
- 8.\* Resolution awarding a contract to SZ Construction, LLC for the provisions of the Multi-service Center 1<sup>st</sup> floor alterations in accordance with the City's Bid No. 13-05 in the total amount of \$473,000.00 **(submitted by the Administration) (recommendations to follow)\***
- 9.\* Resolution awarding a contract to Max Adamo Construction Inc. for the provisions of Pier C Rehabilitation project in accordance with the City's Bid No. 13-04 in the total amount of \$303,115.00 **(submitted by the Administration)**
- 10.\* Resolution awarding a contract to Rug & Floor Store, Inc. a contract under their State Contract No. A81751 for flooring supply and installation at the Midtown Garage from Superstorm Sandy in a not to exceed amount of **\$41,875.87(submitted by the Administration)**
- 11.\* Resolution confirms an emergency contract awarded to Restoration Management Company for Emergency Flood Repair and Restoration services at the Midtown Garage office space for the City in the wake of Superstorm Sandy in an amount not to exceed **\$231,783.16**, as approved and authorized by the City's Casualty Insurer **(submitted by the Administration)**

- 12.\* Resolution by this resolution the Hoboken City Council authorizes a financial guarantee to preserve the “Meals on Wheels” program of the North Hudson Regional Council of Mayors **(submitted by the Administration)**
- 13.\* Emergency Resolution to extend the March 6, 2013 extension of the annual taxi cab license renewal term for an additional month beginning June 1, 2013 ending June 30, 2013 **(submitted by the Administration)**
- 14.\* Resolution appointing a Fund commissioner and Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund **(submitted by the Administration)**
- 15.\* Resolution consenting to the appointment of Judge Fazio as a Judge of the Municipal Court of the City of Hoboken for the term of three (3) years to commence June 6, 2013 and expire June 5, 2016 **(submitted by the Administration)**
- 16.\* Resolution consenting to the appointment of Judge Mongiello a Judge as the Chief Judge of the Municipal Court of the City of Hoboken for the term of three (3) years to commence June 6, 2013 and expire June 5, 2016 **(submitted by the Administration)**
- 17.\* Resolution appoints Barbara Reyes to the Hoboken Housing Authority for a (5) five year term which will expire on May 3, 2018 **(sponsored by Councilman Occhipinti and Councilwoman Mason)**
- 18.\* Resolution authorizing the Refund of Tax Overpayments (payable to the individuals listed on the resolution for the amount of **\$11,130.03 (submitted by Tax Collector)**
- 19.\* Resolution authorizing the Refund of Tax Appeals State Tax Court (payable to the individuals listed on the resolution for the amount of **\$33,820.30 (submitted by Tax Collector)**
- 20.\* Resolution to approve a “License agreement” between the City of Hoboken and the owner of Block 173 Lot 18 (a/k/a 1124 Park Avenue) for use and maintenance of a portion of the public right of way adjacent to said property **(submitted by the Administration)**
- 21.\* Resolution in support of permitting the Hoboken Events Committee, Inc. to place the Roman Numeral Cauldron XLVIII for the 2014 Super Bowl on city property **(sponsored by Councilwoman Giattino)**
- 22.\* Resolution to authorize a professional service contract with McGuire Associates, LLC as general real estate appraiser for the City of Hoboken for the 2013 Calendar Year for a total not to exceed amount of \$169,500.00 **(submitted by the Administration)**
- 23.\* Resolution approving the dates, days and times for Hoboken City Council meetings from July 2013 through December 2013 **(submitted by City Clerk’s office)**

## **ORDINANCES**

### **Introduction and First Reading**

1. AN ORDINANCE TO AMEND CHAPTER 179A ENTITLED "TAXICABS" TO AMEND THE MILEAGE / AGE REQUIREMENTS UNDER § 179A-18(C)(8) AND FARES UNDER § 179A-20

**(sponsored by Councilman Mello)**

2. AN ORDINANCE TO AMEND CHAPTER 46 ENTITLED "LEASE AGREEMENTS" TO INCLUDE A LEASE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND NJ TECH, INC. FOR THE USE AND MAINTENANCE OF THE SINATRA PARK CAFÉ

## **NEW BUSINESS**